

Petition Number:

1109-VS-05

Date of Filing:

8/5/2011

RECEIVED

Application for VARIANCE OF DEVELOPMENT STANDARD

Westfield – Washington Township

Board of Zoning Appeals (BZA)

This application must be completed and filed with the Community Services Department of the Town of Westfield, Indiana in accordance with the meeting schedule.

1. Appellant's Name

Address

Telephone Number

E-Mail Address

TIM SWINNEY

15577 OAK ROAD

CARMEL, IN 46033

317-432-8091

T.SWINNEY@SBCGLOBAL.NET

2. Landowner's Name

Address

Telephone Number

SAME

3. \*Representative

\*Address

\*Telephone Number

\*Email Address

\*If the applicant is not presenting a petition, please provide contact information for the party representing the applicant.

4. Common description of property (address, location, etc.)

15577 OAK RD. (SURVEY REPORT ATTACHED)

5. Legal description of property (list below or attach)

ATTACHED

6. Complete description of the nature of the development standard variance applied for:

ATTACHED GARAGE ADDITION IS CLOSER TO  
PROPERTY LINE THAN ORDINANCE ALLOWS

WC 16.04.030 B6a REDUCE FRONT YARD FROM 80' TO 5'

7. **ALL SITE PLANS SHALL BE LEGIBLE AND DRAWN TO SCALE.** Site plans must accompany this application and must depict at a minimum:

- Lot(s) shape and dimensions;
- Location and dimensions of existing and proposed structures;
- Location and dimensions of existing and proposed points of ingress and egress; and
- All topographic and natural features and/or other unusual characteristics associated with the property.

8. The Applicant must address the following criteria and establish at the public hearing that each of the following is true in order to obtain a favorable determination from the BZA.

*No variance of development standard shall be granted unless the BZA finds all of the following to be true:*

- a. That the approval of such variance of development standard will not be injurious to the public health, safety, morals, and general welfare of the community:

ATTACHED GARAGE WILL BE USED ONLY  
FOR NORMAL, LEGAL STORAGE OF VEHICLES  
AND PROPERTY

- b. That the use and value of the area adjacent to the property included in the variance of development standard will not be affected in a substantially adverse manner:

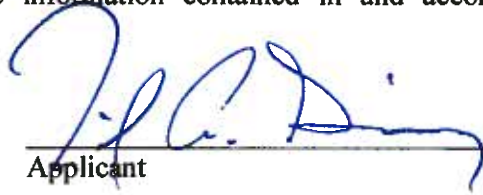
PROPOSED GARAGE ADDITION DOES NOT IMPEDE  
FLOW OF TRAFFIC AND WILL BE DONE IN AN  
AESTHETICALLY PLEASING MANNER WITH BRICK  
ALL AROUND MATCHING HOUSE.

- c. That the strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property:

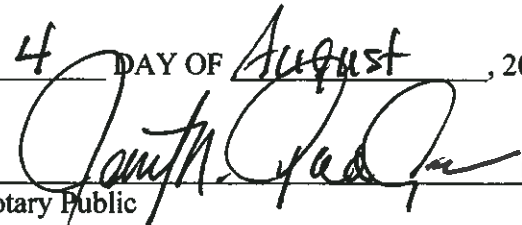
PROPOSED GARAGE (ATTACHED TO HOUSE) CANNOT  
BE BUILT IN ANOTHER LOCATION WITHOUT  
MOVING SEPTIC SYSTEM, UTILITIES AND LARGE TREES  
THIS PROJECT WILL ENHANCE APPEARANCE OF HOUSE  
AS IT WILL HAVE SAME ROOF LINE & EXTERIOR. ALL  
NEIGHBORS ARE IN FAVOR OF PROJECT.

TOWN OF WESTFIELD, INDIANA

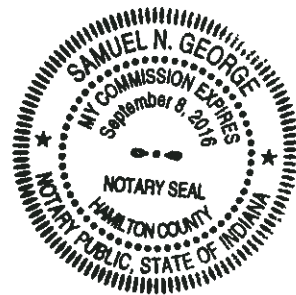
The Appellant hereby certifies that the information contained in and accompanying this application is true and correct.

  
Applicant

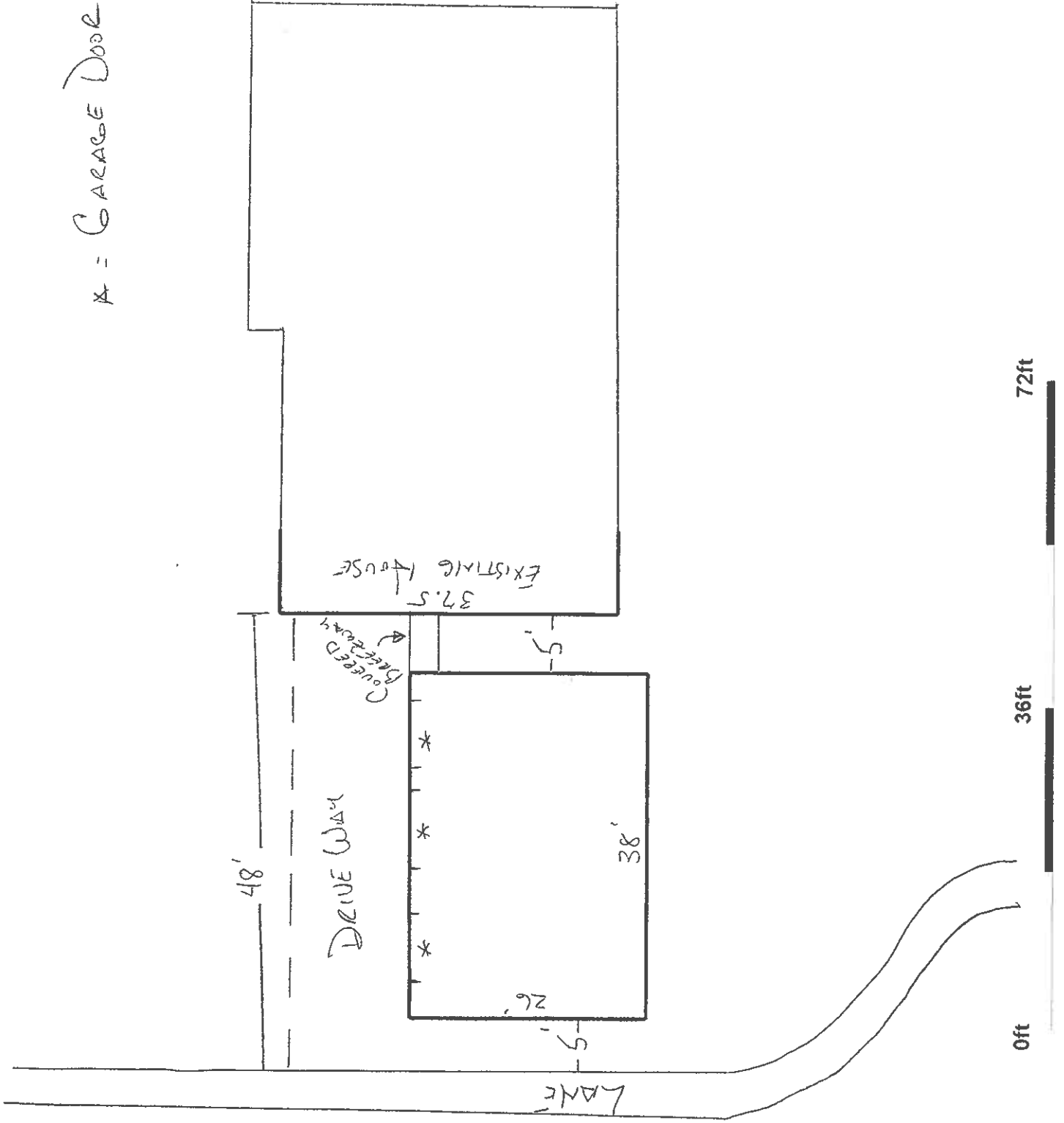
SUBSCRIBED AND SWORN TO ME THIS 4 DAY OF August, 2011.

  
Notary Public

My commission expires: 9/8/16



\* = GARAGE DOOR



# **SURVEYOR LOCATION REPORT**

This report was prepared only for:

**LAWYERS TITLE INSURANCE CORPORATION (#121100005)  
AND  
METLIFE HOME LOANS.**

**THIS REPORT IS DESIGNED FOR USE BY A TITLE INSURANCE COMPANY WITH RESIDENTIAL LOAN POLICIES. NO CORNER MARKERS WERE SET AND THE LOCATION DATA HEREIN IS BASED ON LIMITED ACCURACY MEASUREMENTS. THEREFORE, NO LIABILITY WILL BE ASSUMED FOR ANY USE OF THIS DATA FOR CONSTRUCTION OF NEW IMPROVEMENTS OR FENCES. THIS REPORT IS NOT INTENDED TO REPRESENT A SURVEY, NOR IS IT INTENDED TO BE USED BY AND/OR BENEFIT THE BORROWER(S).**



**PROPERTY ADDRESS: 15577 Oak Road, Carmel, IN**

**PROPERTY DESCRIPTION: See sheet 3.**

**This is to certify that the subject property does not lie within that Special Flood Hazard Area Zone "A". The accuracy is subject to map scale uncertainty and to any other uncertainty in location or elevation on Community Panel Number 18057 C 0138 F of the Flood Insurance Rate Maps, effective date February 19, 2003.**

**BORROWER(S): Timothy A. Swinney**



**HAHN SURVEYING  
GROUP, INC.**

**Surveyors & Engineers**

**2850 E. 96th St., Indianapolis, IN 46240**

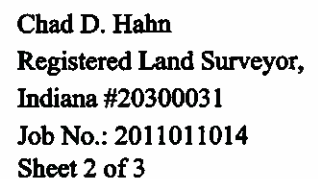
**PHONE: (317) 846-0840 or (317) 846-4119**

**FAX: (317) 846-4298 or (317) 582-0662**

**Job No.: 2011011014  
Sheet 1 of 3**



I hereby certify to the parties named above that the real estate described herein was inspected under my supervision on the date indicated and that to the best of my knowledge, this report conforms with the requirements contained in Sections 27 through 29 of 865 IAC 1-1-12 for a SURVEYOR LOCATION REPORT. Unless otherwise noted there is no visible evidence of possession lines found.



**PARCEL I:**

A PART OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 18 NORTH, RANGE 4 EAST, LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 18 NORTH, RANGE 4 EAST; THENCE NORTH 00 DEGREES 00 MINUTES 13 SECONDS EAST (ASSUMED BEARING) 50.00 FEET ON AND ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 51 MINUTES 17 SECONDS EAST 510.10 FEET PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 13 SECONDS EAST 60.07 FEET PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST QUARTER TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 00 DEGREES 00 MINUTES 13 SECONDS EAST 543.67 FEET PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST QUARTER TO A POINT ON THE NORTH LINE OF TWENTY (20) ACRES OFF THE SOUTH END OF THE SOUTHWEST QUARTER OF SAID SOUTHEAST QUARTER (REFERENCE: DEED RECORD 152, PAGE 405); THENCE NORTH 89 DEGREES 51 MINUTES 17 SECONDS EAST 179.00 FEET ON AND ALONG THE NORTH LINE OF SAID 20 ACRE TRACT OF LAND; THENCE SOUTH 00 DEGREES 00 MINUTES 13 SECONDS WEST 545.22 FEET PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST QUARTER TO A POINT BEING SOUTH 89 DEGREES 39 MINUTES 05 SECONDS EAST OF THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 39 MINUTES 05 SECONDS WEST 179.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2.23 ACRES, MORE OR LESS.

**ALSO:**

A PART OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 18 NORTH, RANGE 4 EAST, TOWNSHIP 18 NORTH, LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 18 NORTH, RANGE 4 EAST; THENCE NORTH 00 DEGREES 00 MINUTES 13 SECONDS EAST (ASSUMED BEARING) 50.00 FEET ON AND ALONG THE WEST LINE ON SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 51 MINUTES 17 SECONDS EAST 345.10 FEET PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER; TO THE POINT OF BEGINNING OF THIS DESCRIPTION, THENCE NORTH 89 DEGREES 51 MINUTES 17 SECONDS EAST 165.00 FEET PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 13 SECONDS EAST 203.50 FEET PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 51 MINUTES 17 SECONDS WEST 165.00 FEET PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 00 MINUTES 13 SECONDS WEST 203.50 FEET PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST QUARTER TO THE POINT OF BEGINNING, CONTAINING 0.77 ACRE, MORE OR LESS.

**PARCEL II:**

RIGHTS AND BENEFITS AS SET OUT AND CREATED IN AGREEMENT FOR SHARED USE AND MAINTENANCE OF COMMON DRIVEWAYS AND GRANT OF EASEMENTS AS RECORDED IN DOCUMENT NO. 200500053096.



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